

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

NATHAN WAYNE NORMAN,)
Plaintiff,) Case No. : 24-cv-1010-MAB
vs.)
DR. DON ARNOLD, II and)
DR. ANN ELIZABETH HARDY-)
HENRY,)
Defendants.)

ORDER SETTING SCHEDULING CONFERENCE

BEATTY, Magistrate Judge:

Pursuant to Southern District of Illinois Local Rule 16.2(a) and Federal Rules of Civil Procedure 16(b) & 26(f), an initial pretrial scheduling and discovery conference is hereby set before the **Honorable Mark A. Beatty via ZOOM on August 1, 2024, at 2:30 PM.** The parties will receive a ZOOM invitation via email from the Court. At the scheduling conference, counsel will be expected to discuss all matters covered by FED. R. Civ. P. 16(b) and 26(f), to include those matters set forth below, as well as all matters set forth in the Joint Report and Proposed Scheduling and Discovery Order.

The parties are to submit a Joint Report and Proposed Scheduling and Discovery Order using one of the forms provided [here](#). The joint report shall be submitted **seven days** before the conference via e-mail to MABpd@ilsd.uscourts.gov. The parties are reminded that the proposed discovery and dispositive motions deadlines must be in compliance with the requirements set forth in this Court's form order. *See also* SDIL-LR

7.1(f) and Timetable.

If, in the course of preparing the Joint Report, the parties come to **jointly** believe the assigned track is not appropriate and that discovery can be completed much quicker or will require much more time than currently allotted, the parties should **note that in the Joint Report** and be prepared to discuss it at the Scheduling Conference. In preparing the Joint Report, the parties should keep in mind Federal Rule of Civil Procedure 1, which establishes the broad objectives of all federal litigation: “These rules govern the procedure in all civil actions and proceedings in the United States district courts, except as stated in Rule 81. They should be construed, administered, and employed by the court and the parties to secure the *just, speedy, and inexpensive determination of every action and proceeding.*” FED. R. CIV. P. 1 (emphasis added).

The purposes of the conference are:

1. To discuss the Joint Report of the Parties and the proposed discovery plan;
2. Whether the Track Assignment is appropriate;
3. To discuss the complexity of the case and the nature and basis of the parties claims and defenses;
4. To confirm the trial date or the presumptive trial month (see SDIL-LR 16.1(a));
5. To establish a plan for the management of discovery in the case, including any limitations on the use of the various discovery devices that may be agreed to by the parties or ordered by the Court;
6. To discuss costs, if any, the parties may be willing to share to reduce overall discovery expenses, such as the use of a common electronic discovery vendor (if applicable), or other cost-saving measures;
7. To discuss any issues relating to disclosure or discovery of electronically stored information, including-
 - a. the form or forms in which it should be produced,
 - b. the topics for such discovery and the time period for which such discovery will be sought,
 - c. the various sources of such information within a party’s control that should be searched for electronically stored information, and

- d. whether the information is reasonably accessible to the party that has it, in terms of the burden and cost of retrieving and reviewing the information any issues relating to claims of privilege or of protection as trial-preparation material, including - if the parties agree on a procedure to assert such claims after production - whether to ask the Court to include their agreement in an order, and
8. To discuss any issues relating to claims of privilege or of protection as trial-preparation material, including- if the parties agree on a procedure to assert such claims after production- whether to ask the Court to include any agreement in an order under Federal Rule of Evidence 502;
9. To formulate a plan to simplify and narrow the issues in the case;
10. To discuss the deadlines for amendments to the pleadings, including the filing of third-party complaints, which deadline shall be no later than **90 days** following this conference;
11. To set a cut-off date for completion of all discovery including experts' discovery, which date shall be no later than **130 days** before the first day of the month of the presumptive trial date;
12. To discuss the filing of potential motions and a schedule for their disposition, including the cut-off date for filing dispositive motions; which date shall be no later than **100 days** before the first day of the month of the presumptive trial date; and
13. To cover any other procedural issues the Court determines to be appropriate for the fair and efficient management of the litigation.

Further, if this case has been referred into the Mandatory Mediation Program, the Parties should be prepared to:

1. Discuss the outcome of the Parties' discussion regarding the Mandatory Mediation Program and selection of a mediator;
2. Set a deadline for selecting a mediator, which shall be no later than **28 days** following this conference; and
3. Set a deadline for completion of the Mandatory Mediation Session, which date shall be no later **30 days** before the discovery cut-off date.

IT IS SO ORDERED.

DATED: 6/24/2024

/s/ Mark A. Beatty
Mark A. Beatty
United States Magistrate Judge